

Exhibit 19

Deposition of Brandon Vera
(February 16, 2017) (excerpted)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, Brandon Vera, Luis Javier)
Vazquez, and Kyle Kingsbury on)
behalf of themselves and all)
others similarly situated,)
)
Plaintiffs,)
)
vs.) Case No. 2:15-cv-
) 01045-RFB-(PAL)
Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and UFC,)
)
Defendants.)
)

DEPOSITION OF BRANDON VERA

Taken at the Offices of Boies, Schiller & Flexner
300 South 4th Street, Suite 800
Las Vegas, Nevada

On Thursday, February 16, 2017
At 9:11 a.m.

Reported by: Jane V. Efaw, CCR #601, RPR

<p style="text-align: right;">Page 114</p> <p>1 say you have to fight one of your training partners, 2 or all he said was, If you don't like this opponent, 3 you're not going to like the next one?</p> <p>4 MR. DELL'ANGELO: Objection to the form.</p> <p>5 THE WITNESS: To the best of my 6 recollection, he told me if I don't fight this fight, 7 I was going to be cut, yup. I think being on the 8 phone with him, he said, If you don't take this 9 fight, then you're going to be cut.</p> <p>10 BY MR. SKAGGS:</p> <p>11 Q. So it wasn't like, If you don't like this 12 opponent, you're not going to like the second? 13 That's not what he said?</p> <p>14 A. He said that before.</p> <p>15 Q. You mean before in the same conversation?</p> <p>16 A. I don't know. I don't know if it was this 17 conversation or a previous one.</p> <p>18 Q. But he told you you would be cut if you 19 didn't take Little Nog?</p> <p>20 A. Yes, sir.</p> <p>21 Q. And you didn't fight Little Nog?</p> <p>22 A. No, sir.</p> <p>23 Q. And you were not cut?</p> <p>24 MR. DELL'ANGELO: Objection to the form of 25 the question.</p>	<p style="text-align: right;">Page 116</p> <p>1 want me to go into detail like --</p> <p>2 Q. Yeah. I mean, what would be the reasons you 3 wouldn't want to fight a training partner?</p> <p>4 A. Aside loving your brother and not wanting to 5 fight them, you know each other other's game. You 6 guys have helped each other so many times in the 7 past. And the biggest thing is for all of us an 8 alliance. One of the rules is if you are going to 9 end up fighting a training partner, it has to be for 10 a title. That's the only way it would make sense. 11 It doesn't make sense for you to be fighting somebody 12 that you train with day in and day out. It doesn't 13 seem right especially when the roster's so deep that 14 it can choose people to pick up.</p> <p>15 Most of the time, in my opinion, Zuffa would 16 pick and choose your opponents so near and dear and 17 close to home to create problems within camp so that 18 fighters split, fighters take off from each other, 19 fighters aren't friends anymore. And since that day, 20 Little Nog, Big Nog and Junior has not been back to 21 Alliance Training Center to train with us.</p> <p>22 Q. So what are some examples of when Zuffa 23 picked matches to try and create a conflict between 24 people?</p> <p>25 A. Other besides that one?</p>
<p style="text-align: right;">Page 115</p> <p>1 THE WITNESS: No. But --</p> <p>2 BY MR. SKAGGS:</p> <p>3 Q. And do you remember -- you said you don't. 4 I think you don't remember exactly when this 5 happened; is that right?</p> <p>6 A. No, sir.</p> <p>7 Q. But it would have been sometime before 8 Little Nog and Phil Davis fought each other?</p> <p>9 A. Yes, sir.</p> <p>10 Q. And did Joe Silva ever personally threaten 11 or intimidate you -- using your words -- on any other 12 occasion?</p> <p>13 MR. DELL'ANGELO: Objection to the form.</p> <p>14 THE WITNESS: From my management group, I 15 remember them telling me, Brandon, you've got to take 16 this fight or Joe said he's going to cut you. You 17 got to take this fight, or they're going to pick 18 somebody else for you that's really bad.</p> <p>19 BY MR. SKAGGS:</p> <p>20 Q. Okay. Why didn't you want to fight Little 21 Nog?</p> <p>22 A. Little Nog is a training partner.</p> <p>23 Q. So why wouldn't you want to fight a training 24 partner?</p> <p>25 A. Because you guys train together. Do you</p>	<p style="text-align: right;">Page 117</p> <p>1 Q. Right.</p> <p>2 A. Trying to make Koscheck and Fitch fight. 3 Trying to make GSP and -- there was somebody else 4 that they wanted GSP to fight from the same camp. I 5 can't remember his name. There's more examples. I 6 can find them if you want me to do research. But 7 there's a lot of examples where they tried to put 8 team members against each other. I even remember 9 that Dana and Joe were blasting their mouth on social 10 media about how, You should fight whoever we tell you 11 to fight. It doesn't matter if you're a team member. 12 They want social media to talk about it. So they've 13 done it more than once or twice.</p> <p>14 Q. Do you remember when they were on social 15 media doing that?</p> <p>16 A. No, sir.</p> <p>17 Q. Do you remember any other specific instances 18 where anyone from Zuffa threatened or intimidated you 19 directly?</p> <p>20 A. No, sir, not at this moment.</p> <p>21 Q. And do you remember any other specific 22 instances where someone from Zuffa threatened or 23 intimidated anyone else and you heard about it?</p> <p>24 A. Yes, sir.</p> <p>25 Q. Okay. What are those examples?</p>

1 A. Every time a fighter has -- is coming up on
 2 his renegotiation period, it was common knowledge in
 3 our industry that if you didn't sign the new
 4 agreement, that you were going to get frozen out or
 5 put on a dark show so that nobody would ever see your
 6 last fight. That's common knowledge across the
 7 board. They threatened us also as well when the
 8 ancillary rights agreement came out, I believe, for
 9 your image and likeness perpetuity because nobody
 10 wanted to sign it at first. A huge story was an AKA
 11 where they made everybody sign. They made Fitch sign
 12 or he was going to cut everybody from AKA. That's
 13 out on social media as well, too. The ancillary
 14 rights agreement was that if you did not sign that,
 15 you weren't going to be fighting for the UFC anymore.
 16 They make all new people sign that agreement in --
 17 coming in. I'll think of more stories as we talk.
 18 But that's it for right now.

19 Q. And do you remember -- or strike that.

20 Are there other examples where you were
 21 personally threatened or intimidated that you can't
 22 remember right now, or you got them all?

23 MR. DELL'ANGELO: Objection to the form.

24 THE WITNESS: I don't think I got them all,
 25 but I'll remember. As I remember them, I'll keep you

1 posted.

2 BY MR. SKAGGS:

3 Q. I want to go back. You said that it was
 4 common knowledge in the industry about re-signing new
 5 contracts. What do you mean by "common knowledge in
 6 the industry"?

7 A. Common knowledge that when it was time for
 8 you to fight for your last fight on your contract, it
 9 was never going to happen unless you signed with --
 10 unless you signed a new agreement.

11 Q. What was never going to happen?

12 A. You were never going to get to fight your
 13 last fight. They would freeze you out until the
 14 very, very end unless you signed a new agreement.

15 Q. And where did the common knowledge come
 16 from?

17 A. Stories of almost so many fighters, so many
 18 fighters.

19 Q. Who are some examples?

20 A. Um, old school till now. Phil Davis was
 21 talking about it.

22 Q. What do you mean talking about it? What did
 23 he say?

24 A. Just how you don't fight your last fight
 25 unless you sign a new contract.

1 Q. Was he saying that it had happened to him,
 2 or he was just saying that's how it is?

3 A. That's how it is.

4 Q. So he didn't say that happened to him?

5 MR. DELL'ANGELO: Objection to the form.

6 THE WITNESS: Um, we could actually ask him
 7 if he said it because I know --

8 BY MR. SKAGGS:

9 Q. Well, I'm asking you if you remember if
 10 that's what he said.

11 A. I don't remember if that's what he said.

12 Q. Okay. But you don't remember him saying,
 13 this is what happened to me?

14 MR. DELL'ANGELO: Objection to form. Asked
 15 and answered.

16 THE WITNESS: I think Phil said that's the
 17 game. That's the game they play.

18 BY MR. SKAGGS:

19 Q. Okay. So where else did the -- sorry,
 20 strike that.

21 What are some other examples of when he said
 22 "freezing out." What are some other examples of that
 23 that you heard.

24 A. Heard and know of, I can't think of them
 25 right now. I'm drawing a blank. But I promise

1 there's a lot more. I'll get back to you on those if
 2 you'd like.

3 Q. Okay. But right now you can't think of any
 4 specific examples where that happened?

5 A. Not right now, no, sir. There's a lot,
 6 though.

7 Q. And I believe you also mentioned there were
 8 threats and intimidation related to the ancillary
 9 rights agreement. Do you remember any specific
 10 instances of what you're talking about there?

11 A. If you didn't sign that agreement, you would
 12 be cut.

13 Q. And so do you remember any specific
 14 instances of where someone didn't sign the agreement
 15 and was cut?

16 A. I don't know if anybody didn't sign. I
 17 think everybody was trying to stay in the league
 18 organization and signed, scared, because they were
 19 going to get rid of everybody from AKA for John Fitch
 20 not signing. Who are we? The little ducks in the
 21 pond trying to eat.

22 Q. When you say they were going to get rid of
 23 John Fitch, what do you mean by that?

24 A. They were going to cut John Fitch and his
 25 whole entire team at AKA if they didn't sign the

<p style="text-align: right;">Page 122</p> <p>1 exclusivity agreement? Is it ancillary or exclusive?</p> <p>2 Q. I'm asking you.</p> <p>3 A. It's the one fore the likeness, whichever</p> <p>4 one that's called.</p> <p>5 Q. Where did you learn about that?</p> <p>6 A. The internet stories from all the coaches.</p> <p>7 Q. Which coaches?</p> <p>8 A. My coach, Eric del Fierro.</p> <p>9 Q. Eric del Fierro. Did he say that he had</p> <p>10 heard that from John Fitch or --</p> <p>11 A. He heard -- I don't know where he heard that</p> <p>12 from.</p> <p>13 Q. So you don't know if he talked to John Fitch</p> <p>14 directly about this?</p> <p>15 A. No, sir. I heard the stories from multiple</p> <p>16 fighters, as I'm traveling to the U.S. I don't know</p> <p>17 who their names were. And then finally when I did</p> <p>18 meet up with Fitch face-to-face, I asked him. And he</p> <p>19 said, that's how it's going down.</p> <p>20 Q. And when was that conversation?</p> <p>21 A. I don't know.</p> <p>22 Q. Was that before or after the lawsuit was</p> <p>23 filed?</p> <p>24 A. It was before. Probably -- I don't know.</p> <p>25 Whenever I bumped into John Fitch after we signed.</p>	<p style="text-align: right;">Page 124</p> <p>1 A. Sorry.</p> <p>2 Q. So going back to Mr. Dion, who we were</p> <p>3 discussing earlier. At what point did Mr. Dion stop</p> <p>4 being your manager?</p> <p>5 A. He stopped being my manager -- I don't know</p> <p>6 the year, but it was an event when I separated from</p> <p>7 him. I don't know when that was.</p> <p>8 Q. What do you mean, an event?</p> <p>9 A. He lied to me about some -- about money, and</p> <p>10 I decided I couldn't trust him anymore. So we went</p> <p>11 through a mediation process to part ways.</p> <p>12 Q. What did he lie to you about?</p> <p>13 A. Money.</p> <p>14 Q. What do you mean, money?</p> <p>15 A. He lied to me about money that was offered.</p> <p>16 Q. By who?</p> <p>17 A. By Zuffa.</p> <p>18 Q. What did he say had happened?</p> <p>19 A. He just said that they didn't offer</p> <p>20 anything.</p> <p>21 Q. So he said "anything" meaning they didn't</p> <p>22 offer any money, or like a lower amount of money?</p> <p>23 A. They didn't offer any amount of money.</p> <p>24 Q. Like they didn't make an offer at all?</p> <p>25 A. Yes, sir.</p>
<p style="text-align: right;">Page 123</p> <p>1 After everybody signed the agreements.</p> <p>2 Q. And what did he tell you?</p> <p>3 A. I think it was a simple conversation. I</p> <p>4 asked him, is that true what happened up at AKA? And</p> <p>5 I think he just shook his head, yup.</p> <p>6 Q. What was your understanding of what happened</p> <p>7 at AKA?</p> <p>8 A. My understanding at AKA was that everyone</p> <p>9 was going to be cut if certain people didn't sign the</p> <p>10 image and likeness agreement.</p> <p>11 Q. And you had read about that basically in the</p> <p>12 news online?</p> <p>13 A. Yes, sir.</p> <p>14 Q. Are there any other examples you can think</p> <p>15 of that you've heard about from anyone about threats</p> <p>16 or intimidation made by Zuffa employees?</p> <p>17 A. That I can think of as of right now as I sit</p> <p>18 here?</p> <p>19 Q. Right.</p> <p>20 A. No. But there will be more.</p> <p>21 Q. As you sit here right now, those are the</p> <p>22 only examples you can think of?</p> <p>23 A. That's all I can think of right now. We'll</p> <p>24 come back to it.</p> <p>25 Q. But you're not allowed to ask me questions.</p>	<p style="text-align: right;">Page 125</p> <p>1 Q. Okay. And did you at some point develop an</p> <p>2 understanding that they actually had offered you</p> <p>3 money?</p> <p>4 A. I did.</p> <p>5 Q. Okay. So do you sort of know what happened,</p> <p>6 how that came about?</p> <p>7 A. I think there was another company at the</p> <p>8 time he was trying to become a -- he was trying to</p> <p>9 get in good with. So I don't know what was on his</p> <p>10 brain or his radar, but I think he was trying to get</p> <p>11 me to go to another company instead of staying with</p> <p>12 Zuffa. So I don't know what his motivation was. I</p> <p>13 never asked him.</p> <p>14 Q. Okay. Do you know which company he was</p> <p>15 getting involved with?</p> <p>16 A. Um, Elite. Elite something.</p> <p>17 Q. Elite XE?</p> <p>18 A. Yes, sir.</p> <p>19 Q. Okay. So it's your understanding that it's</p> <p>20 at least possible that he was getting involved in</p> <p>21 Elite XE and lied to you about Zuffa's offer to try</p> <p>22 to get you -- to try to force you over to Elite XE;</p> <p>23 is that basically right?</p> <p>24 MR. DELL'ANGELO: Object to the form.</p> <p>25 THE WITNESS: I don't know if that's exactly</p>